

REMARKS

Reconsideration and allowance of this application are respectfully requested. Currently, claims 29-43 are pending in this application.

Rejection under 35 U.S.C. §112, second paragraph:

Claims 28-43 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. In particular, Section 7 (page 4) of the Office Action states that “In claims 28, 30, and 31, there is no antecedent basis for ‘the first signal’ (claims 28, 30, and 31) or ‘the second signal’ (claim 28).” Claim 28 has been canceled. Claims 30 and 31 have been amended to recite “the first ~~signal~~electric current.” Applicant submits that the recitation of “the first electric current” has a proper antecedent basis in claims 30 and 31. Applicant therefore requests that the rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

Rejection under 35 U.S.C. §112, first paragraph:

Claims 30-31 and 33-41 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Applicant respectfully traverses this rejection of the claims (as amended). By this Amendment, independent claim 30 requires, *inter alia*, “determines a completion of activation of the second cell for allowing to start making use of the second electric current when the second electric current flowing in the cell of the gas sensor is fallen into a predetermined range and when a predetermined time elapses.” Independent claim 31 requires, *inter alia*, “determines a completion of activation of the second cell for allowing to start making use of the second electronic current when the third electric current flowing in the third cell of the gas sensor is fallen into a predetermined range and when a predetermined time elapses.”

Applicant respectfully submits that the specification reasonably conveys to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention, including the above-noted claim limitations. For example, page 18, lines 3-24 and page 21, line 23 to page 22, line 6 provide an adequate written description of the claimed invention, including the above-noted claim limitations. In particular, page 18, lines 3-24 describe an NO_x activation (that is, the sensor cell activation) in step S124 if a predetermined time T_c has elapsed in step S122. Moreover, page 21, line 23 to page 22, line 6 states among other things that “Furthermore, although in the above-described embodiment a decision indicative of the completion of the NO_x activation is made when the element admittance reaches the activation decision value K (that is, the A/F activation reaches completion) *and the predetermined time T_c elapses therefrom as described with reference to FIG. 6*, it is also appropriate that the NO_x activation decision condition **additionally** includes the fact that, after the sensor starting, *the sensor cell current (second cell detection current) or the monitor cell current (third cell detection current) falls within a predetermined range (emphasis added).*” These portions of the specification clearly describe that the NO_x activation occurs after two conditions are met: when a predetermined time T_c elapses (as described in page 18, lines 3-24) and “*additionally*” the second cell detection current or the third cell detection current fall within a predetermined range (as described in page 24, line 23 to page 22, line 6).

Accordingly, Applicant respectfully requests that the rejection of claims 30-31 and 33-41 under 35 U.S.C. §112, first paragraph, be withdrawn.

Rejections under 35 U.S.C. §103:

Claims 28-29, 32 and 42-43 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over Mizutani et al. in view of Kawase et al. and Kawanabe et al. Claim 28 has

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March 12, 2009

been canceled and claims 29, 32, 42 and 43 depend directly or indirectly from claim 30, and thus Applicant believes that this rejection under 35 U.S.C. §103 is moot.

Independent claims 30 and 31 were not rejected over prior art. That is, claims 30 and 31 were not rejected under 35 U.S.C. §102 or §103. As discussed above, these independent claims and their respective dependents are in full conformance with 35 U.S.C. §112, first and second paragraphs. Applicant therefore believes that independent claims 30 and 31 and their respective dependents (including claims 29, 32, 42 and 43 as amended) are allowable.

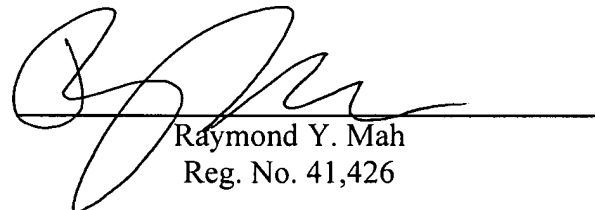
Conclusion:

If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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